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General Assembly

January Session, 2025

Committee Bill No. 8

LCO No. 4255



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

**AN ACT CONCERNING PROTECTIONS FOR WORKERS AND
ENHANCEMENTS TO WORKERS' RIGHTS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) As used in this section and
2 sections 2 to 9, inclusive, of this act:

3 (1) "Employee" means an individual who is employed at a warehouse
4 distribution center. "Employee" does not include a driver or courier
5 traveling to or from a warehouse distribution center;

6 (2) "Employer" means an individual, corporation, partnership,
7 limited partnership, limited liability partnership, limited liability
8 company, business trust, estate, trust, association, joint venture, agency,
9 instrumentality or any other legal or commercial entity, whether
10 domestic or foreign that directly or indirectly, or through an agent or
11 any other person, including through services of a third party employer,
12 temporary services, staffing agency, independent contractor or any
13 similar entity, at any time in the prior twelve months, employs or
14 exercises control over the wages, hours or working conditions of one
15 hundred or more employees at a single warehouse distribution center

16 in the state or one thousand or more employees at one or more
17 warehouse distribution centers in the state;

18 (3) "Quota" means a work performance standard where:

19 (A) An employee is assigned or required to perform at a specified
20 productivity speed or a quantified number of tasks or to handle or
21 produce a quantified amount of material within a defined time period;

22 (B) Actions by an employee are categorized and measured between
23 time performing tasks and not performing tasks within a defined time
24 period;

25 (C) Increments of time within a defined time period during which an
26 employee is or is not doing a particular activity that are measured,
27 recorded or tallied; or

28 (D) An employee's performance is ranked in relation to the
29 performance of other employees;

30 (4) "Work speed data" means information an employer collects,
31 stores, analyzes or interprets relating to an individual employee's
32 performance of a quota, including, but not limited to, quantities of tasks
33 performed, quantities of items or materials handled or produced, rates
34 or speeds of tasks performed by the employee, measurements or metrics
35 of employee performance in relation to a quota and time categorized as
36 performing tasks or not performing tasks; and

37 (5) "Warehouse distribution center" means an establishment as
38 defined by any of the following North American Industry Classification
39 System Codes, however such establishment is denominated: (A) 493110
40 for General Warehousing and Storage, (B) 423 for Merchant
41 Wholesalers, Durable Goods, (C) 424 for Merchant Wholesalers,
42 Nondurable Goods, (D) 454110 for Electronic Shopping and Mail-Order
43 Houses, or (E) 492110 for Couriers and Express Delivery Services.

44 Sec. 2. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,

45 an employer shall provide to each employee a written description of
46 each quota to which such employee is subject, including any potential
47 adverse employment action that may result from a failure to satisfy such
48 quota. Such written description shall be provided to an employer's
49 current employees not later than August 1, 2026. For employees hired
50 after August 1, 2026, such written description shall be provided to the
51 employee upon hire.

52 (b) Whenever an employer makes a change to an existing quota for
53 an employee that results in a new quota for such employee, an employer
54 shall:

55 (1) Notify the employee of such change as soon as possible, either
56 verbally or in writing, and prior to the effective date of such new quota;
57 and

58 (2) Provide the employee with a written description of the new quota
59 to which such employee is subject to not later than two business days
60 after the change is made.

61 (c) Any written description required pursuant to this section shall be
62 provided directly to an employee by a manager during such employee's
63 work hours.

64 Sec. 3. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, no
65 quota shall:

66 (1) Prevent compliance with the provisions of section 31-51ii of the
67 general statutes concerning meal periods;

68 (2) Interfere with an employee's use of the bathroom facilities,
69 including reasonable travel time to and from the bathroom facilities;

70 (3) Set a performance standard that measures an employee's total
71 output over an increment of time that is shorter than such employee's
72 work day; or

73 (4) Set a performance standard that is based solely on ranking the
74 performance of an employee in relation to the performance of other
75 employees.

76 Sec. 4. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, no
77 employer shall take any adverse action against an employee for failing
78 to satisfy a quota that violates the provisions of section 3 of this act or
79 has not previously been provided to the employee pursuant to section 2
80 of this act.

81 Sec. 5. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, each
82 employer shall establish, maintain and preserve contemporaneous, true
83 and accurate records of (1) each individual employee's work speed data,
84 (2) the aggregated work speed data for similar employees at the same
85 warehouse distribution center, and (3) the written descriptions
86 provided to each employee pursuant to section 2 of this act. Such
87 records shall be maintained for a period of three years. Nothing in this
88 section shall require an employer to establish, maintain and preserve the
89 records required pursuant to this section if such employer does not
90 assign or require quotas or collect, store, analyze or interpret work
91 speed data.

92 Sec. 6. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
93 if an employee believes satisfying a quota caused or will cause a
94 violation of section 3 of this act, such employee may request from such
95 employee's employer: (1) A written description of each quota the
96 employee is subject to, (2) a copy of the employee's personal work speed
97 data for the prior ninety days, and (3) a copy of aggregated work speed
98 data for similar employees at the same warehouse distribution center
99 for the prior ninety days.

100 (b) On and after July 1, 2026, a former employee may request from a
101 former employer: (1) A written description of each quota the employee
102 was subject to for the ninety days prior to the employee's separation
103 from employment with such employer; (2) a copy of the employee's
104 personal work speed data for the ninety days prior to such employee's

105 separation from employment with such employer; and (3) a copy of
106 aggregated work speed data for similar employees at the same
107 warehouse distribution center for the ninety days prior to such
108 employee's separation from employment with such employer. A former
109 employee may only make one request under this section.

110 (c) An employer shall provide a written copy of any records
111 requested pursuant to this section not later than five calendar days after
112 receipt of such request. Such written copy shall be provided (1) in both
113 English and the primary language of the employee requesting such
114 records, and (2) for a current employee, directly to the requesting
115 employee by a manager during such employee's work hours.

116 Sec. 7. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
117 no employer shall discharge or in any way retaliate, discriminate or take
118 any adverse action against an employee or former employee for (1)
119 making a request pursuant to section 6 of this act, or (2) filing a civil
120 action pursuant to section 8 of this act.

121 (b) On and after July 1, 2026, if an employer discharges or in any way
122 retaliates, discriminates or takes any adverse action against an employee
123 or former employee within ninety days after such employee engages in
124 or attempts to engage in the activities described in subsection (a) of this
125 section, there shall be a rebuttable presumption that such adverse action
126 is in violation of this section. Such presumption may be rebutted by clear
127 and convincing evidence that (1) the adverse action was taken for other
128 permissible reasons, and (2) the employee engaging or attempting to
129 engage in the activities described in subsection (a) of this section was
130 not a motivating factor for the employer taking such adverse action.

131 Sec. 8. (NEW) (*Effective October 1, 2025*) (a) On and after July 1, 2026,
132 an employee aggrieved by a violation of sections 2 to 7, inclusive, of this
133 act, or the Attorney General on behalf of an employee aggrieved by a
134 violation of sections 2 to 7, inclusive, of this act, may bring a civil action
135 in the Superior Court to recover damages, civil penalties and such
136 equitable and injunctive relief as the court deems appropriate. The

137 prevailing party in such civil action may be awarded reasonable
138 attorney's fees and costs to be taxed by the court.

139 (b) An employer who violates the provisions of sections 2 to 7,
140 inclusive, of this act, may be assessed a civil penalty by the court of (1)
141 one thousand dollars for a first violation, (2) two thousand dollars for a
142 second violation, or (3) three thousand dollars for a third or subsequent
143 violation.

144 Sec. 9. (NEW) (*Effective October 1, 2025*) On and after July 1, 2026, the
145 Workers' Compensation Commission shall monitor the injury rates of
146 employees working in warehouse distribution centers in the state. If an
147 employer is found to have an annual injury rate at or over one and one-
148 half times the average annual injury rate for the relevant North
149 American Industry Classification System codes, based on data reported
150 to the federal Occupational and Safety and Health Administration, the
151 Workers' Compensation Commission shall notify the Labor
152 Commissioner and the commissioner shall determine whether an
153 investigation concerning potential violations of sections 2 to 7, inclusive,
154 of this act is appropriate.

155 Sec. 10. Subdivision (3) of subsection (a) of section 31-236 of the
156 general statutes is repealed and the following is substituted in lieu
157 thereof (*Effective October 1, 2025*):

158 (3) During any week in which the administrator finds that the
159 individual's total or partial unemployment is due to the existence of a
160 labor dispute other than a lockout at the factory, establishment or other
161 premises at which the individual is or has been employed, [provided]
162 except that the provisions of this subsection do not apply if it is shown
163 to the satisfaction of the administrator that: (A) For a labor dispute that
164 begins on or after December 14, 2026, such labor dispute has been
165 continuous for fourteen days since the commencement of such labor
166 dispute; (B) (i) the individual is not participating in or financing or
167 directly interested in the labor dispute that caused the unemployment,
168 and [(B)] (ii) the individual does not belong to a trade, class or

169 organization of workers, members of which, immediately before the
 170 commencement of the labor dispute, were employed at the premises at
 171 which the labor dispute occurred, and are participating in or financing
 172 or directly interested in the dispute; or (C) the individual's
 173 unemployment is due to the existence of a lockout. A lockout exists
 174 whether or not such action is to obtain for the employer more
 175 advantageous terms when an employer (i) fails to provide employment
 176 to its employees with whom the employer is engaged in a labor dispute,
 177 either by physically closing its plant or informing its employees that
 178 there will be no work until the labor dispute has terminated, or (ii)
 179 makes an announcement that work will be available after the expiration
 180 of the existing contract only under terms and conditions that are less
 181 favorable to the employees than those current immediately prior to such
 182 announcement; provided in either event the recognized or certified
 183 bargaining agent shall have advised the employer that the employees
 184 with whom the employer is engaged in the labor dispute are ready, able
 185 and willing to continue working pending the negotiation of a new
 186 contract under the terms and conditions current immediately prior to
 187 such announcement;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	New section
Sec. 3	<i>October 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	New section
Sec. 5	<i>October 1, 2025</i>	New section
Sec. 6	<i>October 1, 2025</i>	New section
Sec. 7	<i>October 1, 2025</i>	New section
Sec. 8	<i>October 1, 2025</i>	New section
Sec. 9	<i>October 1, 2025</i>	New section
Sec. 10	<i>October 1, 2025</i>	31-236(a)(3)

Statement of Purpose:

To protect workers' rights.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. DUFF, 25th Dist.
SEN. ANWAR, 3rd Dist.; SEN. CABRERA, 17th Dist.
SEN. FLEXER, 29th Dist.; SEN. GADKAR-WILCOX, 22nd Dist.
SEN. GASTON, 23rd Dist.; SEN. HOCHADEL, 13th Dist.
SEN. HONIG, 8th Dist.; SEN. KUSHNER, 24th Dist.
SEN. LESSER, 9th Dist.; SEN. LOPES, 6th Dist.
SEN. MAHER, 26th Dist.; SEN. MARX, 20th Dist.
SEN. MCCRORY, 2nd Dist.; SEN. MILLER P., 27th Dist.
SEN. RAHMAN, 4th Dist.; SEN. SLAP, 5th Dist.
SEN. WINFIELD, 10th Dist.; REP. SWEET, 91st Dist.
REP. MARTINEZ, 22nd Dist.; REP. GAUTHIER, 38th Dist.
REP. PARIS, 145th Dist.; REP. FORTIER, 79th Dist.
REP. MENAPACE, 37th Dist.; REP. SHANNON, 117th Dist.
REP. ELLIOTT, 88th Dist.; REP. HUGHES, 135th Dist.
REP. HALL J., 7th Dist.; REP. HEFFERNAN, 115th Dist.
REP. LUXENBERG, 12th Dist.

S.B. 8